

North Coast Regional Water Quality Control Board
5550 Skylane Boulevard, Suite A
Santa Rosa, CA 95403
(707) 576-2220
Public Notice No. CA0024058

Notice of Rescheduled Public Hearing

For

Proposed Cease and Desist Order No. R1-2010-0006

For

***Sonoma County Water Agency and
Russian River County Sanitation District***
Wastewater Treatment Facility (WWTF)
NPDES Permit No. CA0024058, WQID No. 1B820450SON

Sonoma County

The California Regional Water Quality Control Board, North Coast Region, proposes to adopt Cease and Desist Order No. R1-2010-0006 in the matter of the Sonoma County Water Agency and Russian River County Sanitation District (Discharger) for violations and threatened violations of effluent limitations for dichlorobromomethane and copper established in Waste Discharge Requirements Order No. R1-2009-0003. Order No. R1-2009-0003 also serves as a National Pollutant Discharge Elimination System (NPDES) Permit.

This item was originally scheduled for consideration as proposed Cease and Desist Order No. R1-2009-0107 at the December 10, 2009 Regional Water Board meeting, then rescheduled for consideration at the January 21, 2010 Regional Water Board Meeting due to a lack of a quorum for this item at the December 10, 2009 Regional Water Board Meeting. Due to a lack of a quorum for this item at the January 21, 2010 Regional Water Board Meeting, this item has been rescheduled for consideration at a teleconference public meeting of the Regional Water Board to be held on February 8, 2010. A teleconference is a meeting of the Regional Water Board where the members are at different locations, connected by electronic means, through either audio or both audio and video. (Cal. Gov. Code §11123(b)(1)((F)(2).)

This item has been properly noticed. The public comment period on this item was held between September 17, 2009 and October 26, 2009, and notice of it was posted on the Regional Water Board website and in the Press Democrat beginning on September 17, 2009. There will not be an additional public comment period on this item. All documents that were received during the public comment period will be distributed to the Regional Water Board members and interested persons. These records will also become a permanent part of the administrative record for this public hearing.

The proposed Cease and Desist Order establishes compliance schedules for actions that the Discharger must complete in order to meet final effluent limitations for dichlorobromomethane by December 1, 2011 and copper by October 1, 2014; sets interim effluent limitations for dichlorobromomethane and copper that the Discharger must meet; and shields the Discharger from being penalized for violations of the final effluent limitations established in Order No. R1-2009-0003, as long as the Discharger is complying with the interim effluent limitations and requirements of the proposed Cease and Desist Order.

Public Hearing Procedures

A teleconference public meeting to consider comments and objections to the proposed Cease and Desist Order has been scheduled for February 8, 2010, at 11:00 a.m. The meeting will be held at two locations: the Regional Water Board Hearing Room in Santa Rosa at 5550 Skylane Boulevard, Suite A and via teleconference at Rio Dell City Hall Council Chambers, 675 Wildwood Avenue, Rio Dell. Members of the Regional Water Board will be participating at each location and both locations will be open to the public. At the hearing, the Regional Water Board will consider whether to affirm, reject, or modify the proposed Cease and Desist Order, or take other action. Vote will be taken by roll call.

Because the public comment period is over, any written material received at this point will not be accepted, except at the discretion of the Regional Water Board Chair. Untimely written material will not be accepted or incorporated into the administrative record if doing so would prejudice the Discharger or the Regional Water Board staff. The Chair may choose to modify this rule upon a showing of severe hardship (California Code of Regulations, Title 23, Sections 648.1 and 648.4).

All those who plan to testify at this hearing were required to submit written statements to the Regional Water Quality Control Board no later than October 26, 2009. The time limit for oral testimony or comments will be set by the Regional Water Board Chair and are subject to change. These time limits normally allow no more than 10 minutes each for Regional Water Board staff and Dischargers. All speakers are expected to honor these time limits. Other interested persons may also provide policy statements or comments at this public hearing. However, any testimony given by someone other than staff or the Discharger may be limited to three minutes and may only be given under the limited scope of summarizing or explaining any timely-submitted written evidence or if the Regional Water Board Chair allows late submitted written or oral comments. No new evidence will be allowed to be presented at this public hearing. In an effort to be fair to all people who wish to speak at this public hearing, the Regional Water Board Chair may choose to use a timer to ensure that individuals stay within the time limits set by the Chair. The Chair also requests that in order to avoid repetitive comments, one spokesperson be selected to speak on behalf of many individuals, when those individuals share a common affiliation or interest.

Document Review

The tentative Order, related documents and comments received by the Regional Water Board, and Regional Water Board staff's responses to comments received will be on file and may be inspected or copied at the Regional Water Board's office, 5550 Skylane Boulevard, Suite A, Santa Rosa, California. Appointments are recommended for document review. Appointments can be made by calling (707) 576-2220. The Order and associated documents are also available on the Regional Water Board's website at: http://www.waterboards.ca.gov/northcoast/board_decisions/tentative_orders/.

Catherine Kuhlman
Executive Officer

January 26, 2010